

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): NEAL S. SALISIAN, SBN: 240277; JARED T. DENSEN, SBN: 325164 SALISIAN LEE LLP 550 South Hope Street, Suite 750 Los Angeles, Ca 90071 TELEPHONE NO.: (949) 399-6303 FAX NO. (Optional): E-MAIL ADDRESS (Optional): neal.salisian@salisianlee.com ATTORNEY FOR (Name): Ameris Bank d/b/a Balboa Capital	FOR COURT USE ONLY
United States District Court Central District of California Southern Division STREET ADDRESS: 411 W. 4th Street MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana 92701 BRANCH NAME: Southern Division	
PLAINTIFF/PETITIONER: Ameris Bank, a Georgia state-chartered banking corporation, doing business as Balboa Capital Corporation DEFENDANT/RESPONDENT: Insomnia 888, Corp., an Illinois domestic corporation; et al.	CASE NUMBER: 8:24-cv-01991 MWF (JDEx)
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.:

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☒ Alternative Dispute Resolution (ADR) package
 - d. ☒ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): see attachment mc-025
3. a. Party served (specify name of party as shown on documents served): Insomnia 888, Corp., an Illinois domestic corporation
- b. ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served: 1340 Remington Road, Suite K, Schaumburg, IL 60173
5. I served the party (check proper box)
 - a. ☐ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): (2) at (time):
 - b. ☒ **by substituted service.** On (date): 01/14/2025 at (time): 12:09 p.m. I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3): Elizabeth Sicilian Riefenberg, an Employee of Insomnia 888, Corp., an Illinois domestic corporation
 - (1) ☒ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☒ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): 1/15/2025 from (city): San Juan Capistrano or ☐ a declaration of mailing is attached.
 - (5) ☒ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER: Ameris Bank, a Georgia state-chartered banking corporation
doing business as Balboa Capital Corporation
DEFENDANT/RESPONDENT: Insomnia 888, Corp., an Illinois domestic corporation; et al.

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5. c. ☐ **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgment of Receipt.*) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ **by other means** (*specify means of service and authorizing code section*):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (*specify*):
- c. ☐ as occupant.
- d. ☒ On behalf of (*specify*): Insomnia 888, Corp., an Illinois domestic corporation under the following Code of Civil Procedure section:
- | | |
|---|---|
| <input checked="" type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. **Person who served papers**

- a. Name: Michael Lynch
- b. Address: P.O. Box 5241, Wheaton, Illinois 60189
- c. Telephone number: (800) 274-9864
- d. **The fee** for service was: \$764.39
- e. I am:

- (1) ☒ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☐ a registered California process server:
- (i) ☐ owner ☐ employee ☐ independent contractor.
- (ii) Registration No.:
- (iii) County:

8. ☒ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

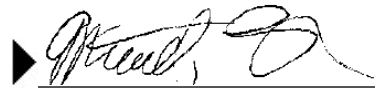
or

9. ☐ **I am a California sheriff or marshal and** I certify that the foregoing is true and correct.

Date: 1/22/2025

Michael Lynch

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


(SIGNATURE)

NEAL S. SALISIAN (SBN: 240277)
 JARED T. DENSEN (SBN: 325164)
 SLISIAN | LEE LLP
 550 SOUTH HOPE ST, SUITE 750
 LOS ANGELES, CA 90071

#81

TELEPHONE No.: (949) 399-6303
 FAX No. (Optional):
 E-MAIL ADDRESS (Optional): neal.salisian@salisianlee.com

Attorney for: Ameris Bank d/b/a Balboa Capital

Ref No. or File No.:

Insert name of Court, and Judicial District and Branch Court:

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA SOUTHERN DIVISION

Plaintiff: Ameris Bank, a Georgia State-chartered banking corporation, d/b/a Balboa Capital Corporation

Defendant: Insomnia 888, Corp., an Illinois domestic corporation; et al.

DEC OF DILIGENCE

HEARING DATE:

TIME:

DEPT.:

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After due search, careful inquiry and diligent attempts at the following address(es), I have not been able to effect service of said process on: **Insomnia 888, Corp., an Illinois domestic corporation**

Documents: Summons; Complaint; Civil Case Cover Sheet; ADR; Complaint Exhibit A & B; Order of the Chief Judge; Certification and Notice of Interested Parties; Notice to Counsel Re Consent to Proceed Before a United States Magistrate Judge; Notice of Assignment to United States Judge; Notice to Parties of Court-Directed ADR Program; Standing Order Regarding Newly Assigned Cases

Date	Time	Results
01/10/25	9:50 AM	NO ANSWER. DOOR WAS LOCKED. 1340 Remington Road, Suite K, Schaumburg, IL 60173
01/13/25	11:26 AM	ELIZABETH SICILIAN RIEFENBERG STATED THAT THE SUBJECT WAS NOT IN THE OFFICE. THE SUBJECT WAS EXPECTED TO BE IN THE FOLLOWING DAY. 1340 Remington Road, Suite K, Schaumburg, IL 60173
01/14/25	12:09 PM	ELIZABETH SICILIAN RIEFENBERG STATED THAT THE SUBJECT WAS NOT IN THE OFFICE. SHE DID NOT KNOW WHEN HE WILL BE IN. THE SUBJECT IS A LONG HAUL DRIVER AND IS ALWAYS ON THE ROAD. ELIZABETH SICILIAN RIEFENBERG, an Employee of Insomnia 888, Corp., ACCEPTED SERVICE DOCUMENTS ON BEHALF OF INSOMNIA 888, CORP., an Illinois domestic corporation, at 1340 Remington Road, Suite K, Schaumburg, IL 60173

Name: Michael Lynch
 Address/Phone number
 P.O. Box 60189
 Wheaton, Illinois 60189/(800)274-9864

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 1/22/2025.

Signature:


 (Signature of Declarant)

DEC OF DILIGENCE